

REMARKS/ARGUMENTS

Entry of this response and reconsideration and allowance of the above-identified patent application are respectfully requested. Please note that a supplemental information disclosure statement (IDS) has been filed concurrently with the present response. The Examiner is respectfully requested to consider and initial the cited references.

Applicant respectfully requests Examiner acknowledge acceptance of the drawings.

Claims 58-91 are pending. By this amendment, claims 58-91 have been cancelled and claims 92-154 have been added. No new matter is added. Upon entry of this amendment claims 92-154 will remain pending.

Applicant respectfully submits that, upon entry of the subject amendment, the application will be in condition for allowance. Applicant, thus, respectfully requests consideration of the above amendment and following remarks.

Claims 1-20, 23-29, 31-38, 40-43, 45-51, 54-59, 61, 62, 64, 66-71, 74-76 and 80-91 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Appl. Publ. No. 2001/0052843 to Weisman et al. ("Weisman"). Claims 21, 22, 30, 53, 63, and 65 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Weisman in view of U.S. Pat. No. 5,559,377 to Abraham ("Abraham"). Claims 39, 52, 60, 72, 73, 77-79 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Weisman in view of U.S. Pat. No. 4,635,055 to Fernandes et al. ("Fernandes"). Claim 44 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Weisman.

While claims 1-91 were rejected in the office action, claims 1-57 were canceled in the preliminary amendment filed February 24, 2003. Thus, Applicant hereby respectfully submits that claims 1-57 were canceled by that preliminary amendment, and if such cancellation was not "entered," Applicant hereby cancels claims 1-57 (for reasons not related to the rejection or the prior art of record). Applicant also cancels claims 58-91.

Claims 92-154 have been added and include many of the limitations that were also present in one or more of the canceled claims.

The present invention, as claimed in this amendment, is directed to a device and method for communicating over power lines. In one example embodiment, the invention may include a coupler (such as a capacitive coupler) configured to couple data to and from the power line; a first modem configured to communicate data over the power line via the coupler; a downstream interface (that may comprise, for example, a second modem) communicatively coupled to the first modem and configured to communicate with one or more user devices. The coupler, first modem, and the downstream interface may be configured to provide at least part of a data path between the power line and the one or more user devices at one or more customer residence to thereby bypass the distribution transformer. Some embodiments also may include a routing device communicatively coupled to the first modem.

Applicant submits that Weisman fails to disclose the claimed inventions. For example, the office action asserts that canceled claim 75 (related to a router) is disclosed by Weisman. Applicant respectfully submits, however, that Weisman fails to disclose a routing device as required by claims 97-100, and 115-136 or matching a data packet with a destination as required by claims 137-154. Likewise, Weisman fails to disclose a device with two modems as required by claims 115-136 and others. Similarly, Weisman fails to disclose a first modem and a downstream interface communicatively coupled to the first modem and configured to communicate with one or more user devices as required by claims 92-114.

In summary, Applicant respectfully submits that claims 92-154 are patentable over the prior art relied upon and requests allowance thereof.

In view of the foregoing, it is respectfully submitted that the claimed invention is patentably distinguishable over the asserted prior art references and that the application stands in condition for allowance. It is respectfully requested that the application be

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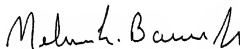
reconsidered, that all pending claims be allowed, and that the application be passed to issue.

CONCLUSION

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact Mel Barnes at (301) 581-0081, to discuss any other changes deemed necessary in a telephonic interview.

Authorization is hereby granted to charge any deficiencies in fees, including any fees for extension of time under 37 C.F.R. §1.136(a), to Deposit Account 50-3970. Please credit any overpayment in fees to the same deposit account.

Date: February 2, 2007



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